

RECEIVED

FEB 14 2001

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL

BELLSOUTH

BellSouth Corporation
Suite 900
1133-21st Street, N.W.
Washington, D.C. 20036-3351

mary.henze@bellsouth.com

Mary L. Henze
Executive Director
Federal Regulatory Affairs

202 463-4109
202 463-4631 Fax

February 14, 2001

EX PARTE OR LATE FILED

Ms. Magalie Roman Salas, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Room TW-A325
Washington, DC 20554

*Re: Implementation of the Subscriber Carrier Selection Change Provisions of the
Telecommunications Act of 1996; CC Dkt. 94-129*

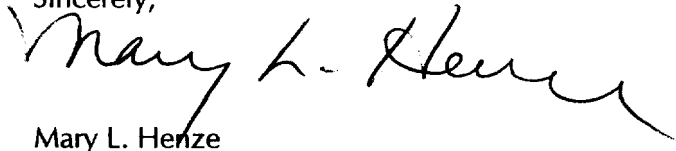
Dear Ms. Salas,

On February 13, members of an ad hoc Industry Slamming Work Group met with Michele Walters, Dana Bradford, and Will Cox, of the Common Carrier Bureau. Companies participating in the meeting were: Allegiance (Robert Kelly), Alltel (Carolyn Hill), AT&T (Jeffrey Flynn), BellSouth (Mary Henze), Excel (Marcy Greene), Qwest (Joaquin Gubb), SBC (Mike Alarcon), Sprint (Mike Fingerhut), Kelley Drye for Talk.com (Steve Augustino), Teligent (Carolyn Stup and Bob Spencer), Verizon (Marie Breslin), Winstar (Kimberley Bradley), and Worldcom (Karen Reidy).

The purpose of the meeting was to discuss the Commission's new slamming reporting requirements. During the meeting the companies presented proposed reporting instructions for the Commission's consideration. The companies stressed the importance of implementing reporting requirements that are clear and consistent and do not pose undue burdens on any carrier. While the proposal was jointly developed by the members of the ad hoc Work Group, individual companies reserve the right to challenge the FCC's implementation of slamming reporting requirements. Presentation material used during the meeting is attached.

This notice is being filed pursuant to Sec. 1.120(b)(2) of the Commission's rules. If you have any questions concerning this filing, please do not hesitate to contact me.

Sincerely,


Mary L. Henze

cc: M. Walters
D. Bradford
W. Cox

No. of Copies rec'd 011
List A B C D E

FCC SLAMMING REPORTING REQUIREMENTS

Analysis and Proposed Instructions

64.1180 Reporting Requirements

(b) *Contents of Report.* The report shall contain the following information:

1. the information specified in subsection (a) of this section [each carrier shall submit...a slamming complaint report form identifying the number of slamming complaints received during the reporting period...]

- a) Carriers should respond only for slamming complaints that they “receive” as the alleged Unauthorized Carrier.
- b) The “number” of slamming complaints should be reported as the total received by that carrier.
- c) Carriers who “hear” complaints in the role of Executing Carrier and Authorized Carrier should not report them in response to this question.
- d) A “slamming complaint” is considered to be any allegation of a slam, as defined by FCC rules, by a consumer regardless of any subsequent findings or resolutions.
- e) A “slamming complaint” should be reported only if it is received directly from the consumer.
- f) A “slamming complaint” may be received in either written, verbal, or electronic format.

2. the number of slamming complaints received during the reporting period that the carrier has investigated and found to be valid.

- a) Carriers should respond only for slamming complaints that they received as the alleged Unauthorized Carrier.
- b) A slamming complaint is reportable under this section if it has been 1) investigated by the carrier at the request of a Governmental Entity (state PUC or FCC); 2) fully adjudicated by that Governmental Entity, 3) found to be valid by that Governmental Entity, and 4) the subject of an Order released by that Governmental Entity within the reporting period.
- c) The number reported should be the total of slamming complaints that meet the criteria in 2(b) received by the carrier.

3. the number of slamming complaints received during the reporting period, investigated or not, that the carrier has directly resolved with consumers;

- a) Carriers should respond only for slamming complaints that they received as the alleged Unauthorized Carrier.
- b) The “number” reported in this category should be the total of all complaints that meet the criteria received by that carrier.
- c) A carrier should count a slamming complaint as having been “directly resolved with consumers” when it has communicated directly with the customer and has provided an explanation and/or remedy that the customer indicates is satisfactory.
- d) A carrier’s willingness and ability to “directly resolve” a slamming complaint with a consumer does not constitute a finding of validity.
- e) A carrier is not responsible for knowing or reporting any action by the consumer subsequent to this communication of satisfaction.

4. if the reporting carrier is a facilities-based local exchange carrier, the names of the entities against which the slamming complaints received during the reporting period were directed.

- a) Carriers should respond only for slamming complaints that they received in their role as an Executing Carrier.
- b) The “entities” reported should be identified by industry-standard CIC or OCN codes to minimize confusion caused by similar names or variations in corporate naming conventions.
- c) Current industry/regulatory standards and systems cannot provide accurate reporting of slams perpetrated by or among switchless resellers.

5. if the reporting carrier is a facilities-based local exchange carrier, the number of slamming complaints received during the reporting period that were lodged against the entities identified in subsection (b)(4) of this section

- a) Carriers should respond only for slamming complaints that they received in their role as an Executing Carrier.
- b) The number of slamming complaints “lodged against the entities identified in (b)(4)” is a consolidated total of all slamming complaints associated with the group listed.
- c) Current industry/regulatory standards and systems cannot provide accurate reporting of slams perpetrated by or among switchless resellers.

6. the total number of subscribers the reporting carrier is serving as of the date the report is filed.

- a) Carriers should respond with total number of active subscribers to whom they provide telecommunications service (i.e., LECs would report total access lines.)